

Adopted	Rejected
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## COMMITTEE REPORT

YES:	10
NO:	0

### MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred House Bill 1855, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 31-30-3-5 IS AMENDED TO READ AS
- 4 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 5. Except for those
- 5 cases in which the juvenile court has no jurisdiction in accordance with
- 6 IC 31-30-1-4, the court shall, upon motion of the prosecuting attorney
- 7 and after full investigation and hearing, waive jurisdiction if it finds
- 8 that:
- 9 (1) the child is charged with an act that, if committed by an adult,
- 10 would be:
- 11 (A) a Class A or Class B felony, except a felony defined by
- 12 IC 35-48-4;
- 13 (B) involuntary manslaughter as a Class C felony under
- 14 IC 35-42-1-4; or

- 1 (C) reckless homicide as a **Class B or** Class C felony under
- 2 IC 35-42-1-5;
- 3 (2) there is probable cause to believe that the child has committed
- 4 the act; and
- 5 (3) the child was at least sixteen (16) years of age when the act
- 6 charged was allegedly committed;
- 7 unless it would be in the best interests of the child and of the safety and
- 8 welfare of the community for the child to remain within the juvenile
- 9 justice system."
- 10 Page 1, line 10, delete "fourteen (14)" and insert "**two (2)**".
- 11 Page 2, line 17, delete "fourteen (14)" and insert "**two (2)**".
- 12 Page 2, line 19, delete ". The offense is:" and insert ", **a Class B**
- 13 **felony**".
- 14 Page 2, delete lines 20 through 23.
- 15 Renumber all SECTIONS consecutively.
- (Reference is to HB 1855 as introduced.)

**and when so amended that said bill do pass.**

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Representative Dvorak